

OCT. 14. 2003 4:57PM

CHRISTENSEN O'CONNOR

NO. 3331 P. 1

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PATENT, TRADEMARK AND OTHER  
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**FACSIMILE COVER SHEET**

DATE: October 14, 2003

TO: Suryaprabha Chunduru  
Examiner  
U.S. Patent and Trademark Office  
Group Art Unit 1637

FACSIMILE NO: 703.872.9307

RE: U.S. Patent Application No. 09/423,575  
Title: PLANT GENE CONSTRUCTS AND THEIR USE

OUR REFERENCE: ARNO-1-14646

FROM: Karen Blöchlinger, Ph.D.

RECEIVED  
OCT 14 2003

OFFICIAL

(Facsimile No. 206.224.0779)

MESSAGE: Transmitted herewith for filing in the above-referenced patent application are the following:

1. Transmittal Letter for Response After Final Rejection Under 37 C.F.R. § 1.116 and Petition for Extension of Time/Notice of Appeal. (2 pages)
2. Response After Final Rejection Under 37 C.F.R. § 1.116. (4 pages)
3. Notice of Appeal. (1 page)

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We have 8 pages to send, including this sheet. If any pages need to be retransmitted, please call 206.682.8100, Ext. 1200, within 15 minutes.

cj

**OFFICIAL  
MAIL STOP AF  
RESPONSE UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1600**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: S. Smeekens et al. Attorney Docket No. ARNO114646  
Application No.: 09/423,575 Group Art Unit: 1637  
Filed: January 27, 2000 Examiner: S. Chunduru  
Title: PLANT GENE CONSTRUCTS AND THEIR USE

TRANSMITTAL LETTER FOR RESPONSE  
AFTER FINAL REJECTION UNDER 37 C.F.R. § 1.116  
AND PETITION FOR EXTENSION OF TIME/  
NOTICE OF APPEAL

Seattle, Washington 98101

October 14, 2003

TO THE COMMISSIONER FOR PATENTS:

A. Amendment Transmittal

Transmitted herewith is an amendment in the above-identified application.

X No additional claim fee is required, as shown below.

COMPUTATION OF FEE FOR CLAIMS AS AMENDED

	Claims Remaining After Amendment		Highest Number Previously Paid For		Present Extra	Rate	Additional Fee
Total Claims	4	Minus	20	=	0	x 18	= 0.00
Independent Claims	1	Minus	7	=	0	x 86	= 0.00
Total Additional Fee for this Amendment							\$0.00

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B. Petition for Extension of Time

Applicant respectfully requests that the shortened statutory period for response to the outstanding Office Action dated April 14, 2003, set to expire on July 14, 2003, be extended by three months to expire on October 14, 2003.

The Commissioner is hereby authorized to charge the 3-month extension fee of \$950.00 to Deposit Account No. 03-1740.

C. Notice of Appeal

Transmitted herewith is a Notice of Appeal in the above-identified application.

The Commissioner is hereby authorized to charge the appeal fee of \$330.00 to Deposit Account No. 03-1740.

D. Additional Fee Charges or Credit for Overpayment

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 03-1740. This authorization also hereby includes a request for any extensions of time of the appropriate length required upon the filing of any reply during the entire prosecution of this application.

Respectfully submitted,

CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>



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Direct Dial No. 206.695.1783

I hereby certify that this correspondence is being transmitted via facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1637, Examiner Suryaprabha Chunduru, at facsimile number 703.872.9307, on October 14, 2003.

Date: 10/14/2003

Carole Julian

KBB:cj

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